



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

ICL

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,400	10/05/2001	Jay Paul Drummond	D-1077+14 DIV	5065

28995 7590 06/19/2002

RALPH E. JOCKE  
231 SOUTH BROADWAY  
MEDINA, OH 44256

EXAMINER

KANOF, PEDRO R

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. 09/972,400	Applicant(s) Covert
Examiner KANOF	Art Unit 2164



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Oct 5, 2001

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-24 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-24 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This correspondence is in response to the amendments filed 1/29/02.
2. In the Specification has been inserted the heading and paragraph before the first line of the Specification, as requested.
3. In the Specification has been substituted the paragraph of page 23 as requested.
4. In the Specification has been substituted the paragraph of pages 23 and 24 as requested.
5. In the Specification has been substituted the paragraph of page 70 as requested.
6. Claims 1, 2, 8, and 14 have been amended as requested.
7. Claims 15-24 have bee added as requested.

### ***Claim Objections***

8. Claims 6, 7, 21-23 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in independent form.

Art Unit: 3628

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

10. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Wagner (U.S. Patent No. 5,742,845)..

Claims 1, 6 and 7: Wagner discloses a method, a machine and a of printing a document with an automated banking machine, comprising the steps of:

(a) conducting at least one transaction with the machine (Col. 9, line 56-col. 10, line 51);

Art Unit: 3628

(b) storing transaction data corresponding to the transaction in a memory in operative connection with a computer, wherein the computer is operatively connected with the machine (Col. 10, line 10-col. 11, line 24);

© accessing a first markup language document with a browser operating in the computer, wherein the first markup language document includes at least one print instruction (Col. 10, line 10-col. 1, line 24); and

(d) printing indicia corresponding to the transaction data in the memory with a printer in the machine responsive to the print instruction included in the first document (col. 11, lines 25-54).

Claim 2: Wagner discloses a method according to claim 1. Wagner also discloses wherein the first markup language document includes instructions therein corresponding to a format, and wherein in step (d) the indicia is printed in accordance with the format (Col. 10, line 10-col. 1, line 24).

Claim 3: Wagner discloses a method according to claim 1. Wagner further discloses the step of:

inputting customer identifying information to the machine, wherein data corresponding to the customer identifying information is included in the transaction data stored in the storing step (Col. 10, line 56-col. 1, line 24 and col. 16, lines 23-40).

Art Unit: 3628

Claim 4: Wagner discloses the method according to claim 3. Wagner also discloses wherein the inputting step includes inputting a card into a card reader on the machine, wherein the customer identifying information corresponds to indicia read by the card reader from the card (col. 9, line 56-col. 10, line 54).

Claim 5: Wagner discloses the method according to claim 1. Wagner also discloses wherein the transaction conducted in step (a) includes the dispense of at least one sheet from a sheet dispenser in the machine (col. 1, line 5-col. 12, line 4).

Claim 8: Wagner discloses the method according to claim 1. Wagner further discloses the steps of:

- e) providing a plurality of markup language documents accessible through a server said documents including the first document, and a second document wherein the second document includes at least one second print instruction (Col. 12, lines 5-23);
- f) accessing the second markup language document with the browser (Col. 12, lines 24-39);
- g) printing indicia corresponding to the transaction data in memory with the printer in the machine responsive to the second print instruction included in the second document (Col. 12, lines 39-67).

Art Unit: 3628

Claim 9: Wagner discloses the method according to claim 8. Wagner also discloses wherein the first document includes indicia in a first language and the second document includes indicia in a second language, and wherein in step (d) a printed item including transaction indicia is produced in a first language and in step (g) a printed item is produced including transaction indicia in a second language (Col. 12, lines 5-39).

Claim 10: Wagner discloses the method according to claim 1. Wagner also discloses wherein the first document includes indicia representative of machine readable indicia, wherein in step (d) a printed item is produced including machine readable indicia (Col. 13, line 30-col. 14, line 15)..

Claims 11, 12 and 13: Wagner discloses the method according to claim 1. Wagner also discloses wherein in step (d) the printer is operative to print a transaction receipt, a check, and a wagering slip (Col. 19, lines 19-63).

Claim 14: Wagner discloses an automated banking machine including: a plurality of transaction function devices, the transaction function devices including a printer and an input device; a computer in operative connection with the transaction function devices and a memory (Col. 12, lines 40-67), wherein the computer includes software executable therein, wherein the software includes a browser (Col. 1, line 5-col. 12, line 4);

Art Unit: 3628

wherein the software is operative to cause the computer to store in the memory (Col. 12, lines 5-67) transaction data representative of at least one input to an input device, and wherein the software is operative to cause the browser to access a markup language document including at least one print instruction and to operate the printer to print an item responsive to the print instruction and the transaction data (Col. 1, line 25-col. 12, line 4).

Claim 15: Wagner discloses an automated banking machine including:  
a plurality of transaction function devices, the transaction function devices including a printer and an input device; a computer in operative connection with the transaction function devices and a memory, wherein the computer includes software executable therein, wherein the software includes a browser (Col. 1, line 5-col. 12, line 67);  
wherein the software is operative to cause the computer to store in the memory transaction data representative of at least one input to the input device, wherein the software is operative to cause the browser to access a plurality of markup language documents through a server, the plurality of markup language documents including a first document and a second document, wherein the first document includes at least one first print instruction and the second document 6 includes at least one second print instruction, and wherein the software is operative to cause the printer to print a first item responsive to the first print instruction included in the first document and at least a portion of the transaction data, and wherein the software is operative to cause the printer to print a second item responsive to the second print instruction included in the

Art Unit: 3628

second document and at least a portion of the transaction data (Col. 13, line 1-col. 14, line 7, and col. 14, line 16-col. 15, line 15).

Claim 16: Wagner discloses the machine according to claim 15. Wagner also discloses wherein the first document includes indicia in a first language and the second document includes indicia in a second language, and wherein the first printed item includes indicia corresponding to at least a portion of the transaction data in the first language and the second printed item is includes indicia corresponding to at least a portion of the transaction data in a second language (Col. 14, line 32-col. 15, line 14, and col. 15, line 54-col. 17, line 47).

Claim 17: Wagner discloses an automated banking machine including:  
a plurality of transaction function devices, the transaction function devices including a printer and an input device; a computer in operative connection with the transaction function devices and a memory, wherein the computer includes software executable therein, wherein the software includes a browser (Col. 1, line 5-col. 12, line 67);

wherein the software is operative to cause the computer to store in the memory transaction data representative of at least one input to the input device, and wherein the software is operative to cause the browser to access at least one markup language document including at least one print instruction and to operate the printer to print a check responsive to the print

Art Unit: 3628

instruction and at least a portion of the transaction data (Col. 13, line 1-col. 14, line 7, and col. 14, line 16-col. 15, line 15)..

Claim 18: Wagner discloses an automated banking machine including:  
a plurality of transaction function devices, the transaction function devices including a printer and an input device; a computer in operative connection with the transaction function devices and a memory, wherein the computer includes software executable therein, wherein the software includes a browser (Col. 1, line 5-col. 12, line 67);  
wherein the software is operative to cause the computer to store in the memory transaction data representative of at least one input to the input device, and wherein the software is operative to cause the browser to access at least one markup language document including at least one print instruction and to operate the printer to print a wagering slip responsive to the print instruction and at least a portion of the transaction data (Col. 13, line 1-col. 14, line 7, and col. 14, line 16-col. 15, line 15)..

Claim 19: Wagner discloses the machine according to claim 14. Wagner also discloses wherein the at least one markup language document includes instructions therein corresponding to a format, and wherein the item includes indicia corresponding to at least a portion of the transaction data, which indicia is printed on the item in accordance with the format (Col. 17, col. 19-col. 18, line 64).

Art Unit: 3628

Claim 20: Wagner discloses the machine according to claim 14. Wagner also discloses wherein the transaction function devices include a cash dispenser, wherein the software is further operative to cause the cash dispenser to dispense an amount of cash (Col. 18, lines 7-36).

Claim 21: Wagner discloses a computer readable media bearing instructions which are operative to cause at least one computer in the automated banking machine to cause the automated banking machine to carry out the method steps recited in claim 1 (Col. 18, lines 26-64).

Claim 22: Wagner discloses a computer readable media bearing instructions which are operative to cause at least one computer in the automated banking machine to cause the automated banking machine to carry out the method steps recited in claim 8 (Col. 18, line 37-col. 19, line 30).

Claim 23: Wagner discloses a computer readable media bearing instructions which are operative to cause at least one computer in the automated banking machine to cause the automated banking machine to carry out the method steps recited in claim 12 (Col. 19, lines 12-63).

Art Unit: 3628

Claim 24: Wagner discloses a computer readable media bearing instructions which are operative to cause at least one computer in the automated banking machine to cause the automated banking machine to carry out the method steps recited in claim 13 (Col. 19, line 3-col. 20, line 13).

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Pedro R. Kanof whose telephone number is (703) 308-9552. The examiner can normally be reached on weekdays from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Vincent Millin, can be reached on (703) 308-1065. The fax phone numbers for this Group are: Customer Service (703) 872-9325, Before Final (703) 872-9326, and After Final (703) 872-9327.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

Art Unit: 3628

Claim 24: Wagner discloses a computer readable media bearing instructions which are operative to cause at least one computer in the automated banking machine to cause the automated banking machine to carry out the method steps recited in claim 13 (Col. 19, line 3-col. 20, line 13).

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Pedro R. Kanof whose telephone number is (703) 308-9552. The examiner can normally be reached on weekdays from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Vincent Millin, can be reached on (703) 308-1065. The fax phone numbers for this Group are: Customer Service (703) 872-9325, Before Final (703) 872-9326, and After Final (703) 872-9327.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

PRK-6/6/02.

*Vincent Millin*  
VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3800